

**HIGH PEAK BOROUGH COUNCIL
DEVELOPMENT CONTROL COMMITTEE**

Date 20th May 2024

Application No:	HPK/2023/0374	
Location	New Mills Heritage and Information Centre, Rock Mill Lane, New Mills, Derbyshire, SK22 3BN	
Proposal	An external mural on the boundary wall on the south of the private yard that occupies the south-western quarter of the property (full - minor)	
Applicant	Mr Toby Hardwick	
Agent	-	
Parish/ward	New Mills / New Mills West	Date registered 18/09/2023
If you have a question about this report please contact: Declan Cleary dcplanningconsultancy@gmail.com		

1. SUMMARY OF RECOMMENDATION

Approve with Conditions

1. REASON FOR COMMITTEE DETERMINATION

1.1 This application has been brought before the Development Control Committee in the public interest owing to the prominence of the site.

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The application site lies within the development boundary for New Mills, as defined by the Local Plan policies map. The site relates to the former New Mills Heritage and Information Centre which is a two storey end terraced property which lies within the Town Centre for New Mills. The site also lies within the New Mills Conservation Area. The site has elevations facing towards Union Road and Rock Mill Road, a footpath runs to the rear of the site. An Article 4 Direction affects the site.

3. DESCRIPTION OF THE PROPOSAL

3.1 This application seeks planning permission for the addition of a mural on the external wall of the adjacent building facing the courtyard. The mural would be 3m wide and 4m tall and positioned above the existing notice board. The mural would be painted directly onto the wall using carbon absorbing paint. It is intended that the mural would display lost species which were native to the area, and those which are threatened. No design has yet been

formalised, although the mural could include species such as salmon, beaver and osprey. The content of the mural would be informed by public consultation.

3.12 The application, the details attached to it including the plans, comments made by residents and the responses of the consultees can be found on the Council's website at <http://planning.highpeak.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=263211>

4. RELEVANT PLANNING HISTORY

4.1 Various – none directly relevant

5. PLANNING POLICIES RELEVANT TO THE DECISION

High Peak Local Plan (Adopted 2016)

- S1 Sustainable Development Principles
- S1a Presumption in Favour of Sustainable Development
- S2 Settlement Hierarchy
- S6 Central Sub-area Strategy
- EQ1 Climate Change
- EQ6 Design and Place Making
- EQ7 Built and Historic Environment
- CF1 Retail and Town Centres
- CF6 Accessibility and Transport

Supplementary Planning Guidance/Documents

High Peak Design Guide (2018)

National Planning Policy Framework

- Section 9: Promoting sustainable transport
- Section 11: Making Effective use of land
- Section 12: Achieving Well-designed Places
- Section 16: Conserving and enhancing the historic environment

6. CONSULTATIONS CARRIED OUT

Site notice	Expiry date for comments: 18 th October 2023
Neighbour letters	Expiry date for comments: 10 th October 2022
Press Notice	Expiry date for comments: 26 th October 2023

Public Comments

Public Comments

None received.

Town / Parish Comments

Support

High Peak Borough Council – Conservation Officer

I have no objections. I suggest this feature is not to be illuminated to ensure minimal visual impact.

7. POLICY AND PLANNING BALANCE

Planning Policies

- 7.1 The determination of a planning application is to be made pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of the Town and Country Planning Act 1990.
- 7.2 Section 38(6) requires the local planning authority to determine planning applications in accordance with the development plan, unless there are material circumstances which 'indicate otherwise'. Section 70(2) provides that in determining applications the local planning authority "shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations." The Development Plan consists of the High Peak Local Plan Policies Adopted April 2016.
- 7.3 Other material considerations include the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG). Paragraph 11 of the NPPF explains that at the heart of the Framework is the presumption in favour of sustainable development. For decision makers this means that when considering development proposals which accord with the development plan, they should be approved without delay, but where the development plan is absent, silent or relevant policies are out of date, grant planning permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.
- 7.4 Local Plan policy S1a establishes a presumption in favour of sustainable development as contained at paragraph 11 of the NPPF.

Principle of Development

7.5 The application proposes external works to a building which lies within the town centre for New Mills. Policy S6 seeks to encourage the sustainable growth of the Central Area. This will be met by promoting and maintaining the distinct identity of the market and mill towns and supporting enhancements to key community services and infrastructure and connectivity to meet the needs of the local population and support growth. Policy CF 1 seeks to maintain and

enhance the vitality and viability of town centres through supporting development which creates safe, attractive and accessible town and local centres, and those that seek to deliver qualitative environmental improvements and support the local distinctiveness of town centre environments through high quality design.

7.6 The application does not propose any change of use or extension to existing built form. The proposals directly relate to the use of the site for the purposes of displaying a mural, therefore, the function of the town centre would not be affected by the proposals. There are no in principle objections to the proposed development subject to the proposals delivering the necessary qualitative environmental improvements as required by CF1.

7.7 In this instance, the main consideration is the effect that the development would have on the character of the town centre, including heritage assets.

Design Considerations (including impact on heritage assets)

7.8 Policy S1 states that new development will be expected to make a positive contribution towards the sustainability of communities and where possible enhancing the environment which would be achieved by, inter alia, securing high quality and locally distinctive design. Policy EQ6 states that all development should be well designed and of a high quality and that this will be achieved by requiring development to be well designed to respect the character of the townscape and requiring development to contribute positively to an areas character, identity and history in terms of scale, height, density, layout, appearance, materials and relationship with adjacent buildings.

7.9 Policy EQ 7 states that the council will conserve heritage assets in a manner appropriate to their significance and that particular protection will be given to designate heritage assets and their setting.

7.10 The application proposes the painting of a mural on a wall which addresses the yard of the former Heritage and Information Centre. The mural would be positioned above an existing notice board on a brickwork elevation. The mural would be 3m x 4m in dimension and would cover much of the elevation. No final design of the mural has been devised, however the intention of the mural would be to inform the public of lost or threatened wildlife that was/is native to the area.

7.11 The courtyard which the mural would face is enclosed on three side, with railings, providing visual permeability, adjacent to the footpath. The existing built form would screen much of the mural from wider vantage points. The mural would be partially visible from Rock Mill Lane to the north, although this would only be from a limited area. The mural would be most apparent from limited vantage points on the footpath and its junction with Rock Mill Lane. The mural would therefore be relatively discrete in terms of its overall visibility.

7.12 The mural would be of an informative nature, and designed with a clear local connection which is relevant to New Mills. It is possible that the mural would become a point of interest and could be carried out without any undue harm to the overall character or appearance of the area. For these reasons, the mural would deliver qualitative environmental improvements to the town centre compliant with policies of the Development Plan.

7.13 With regard to the effect on the character or appearance of the Conservation Area. It is not considered that the development would affect any features of significance and, as indicated above, the mural would be discretely sited. The Conservation Officer has raised no concerns with regard to the proposals, subject to no illumination. It is considered therefore that the development would have a neutral effect and sustain the heritage assets.

Other Considerations

7.14 Given the nature of the proposed development, it is not considered that any matters relating to amenity or highways would arise. However, in the interest of residential amenity and the visual appearance of the conservation area, it is suggested that the mural be non-illuminated.

8. CONCLUSION / PLANNING BALANCE

8.1 The proposed development is appropriately sited and would lead to qualitative environmental improvements to the town centre. The effect on heritage assets would be neutral and, in the absence of identifiable harm, there would be no requirement to balance any public benefits of the scheme. Therefore, it is considered that the proposals would comply with the policies contained within the Development Plan, when considered as a whole, and the guidance within the NPPF and, as such, it is recommended that the application be approved.

9. RECOMMENDATIONS

A. APPROVE subject to conditions as follows;

- 1. The works hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason:- To comply with the provisions of Section 51 of the Town and Country Planning, Planning and Compulsory Purchase Act, 2004.

- 2. Unless required by any other conditions, the development hereby approved shall be carried out in complete accordance with the submitted plans and specifications as follows:-**

**Location Plan;
Location of Lost Species Mural; and,
North Elevation**

Reason:- To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

- 3. The design and appearance of the works hereby approved shall be carried out in accordance with the principles set out in the documents titled “Lost Species Mural at Rock Mill Centre” and the “Statement of Significance & Impact: Assessment Table for Lost Species Mural”.**

Reason:- In the interest of the scheme delivering qualitative environmental improvements to the New Mills Town Centre, and the character and appearance of the Conservation Area.

- 4. Unless otherwise approved by the Local Planning Authority, on application, the mural hereby approved shall be non-illuminated.**

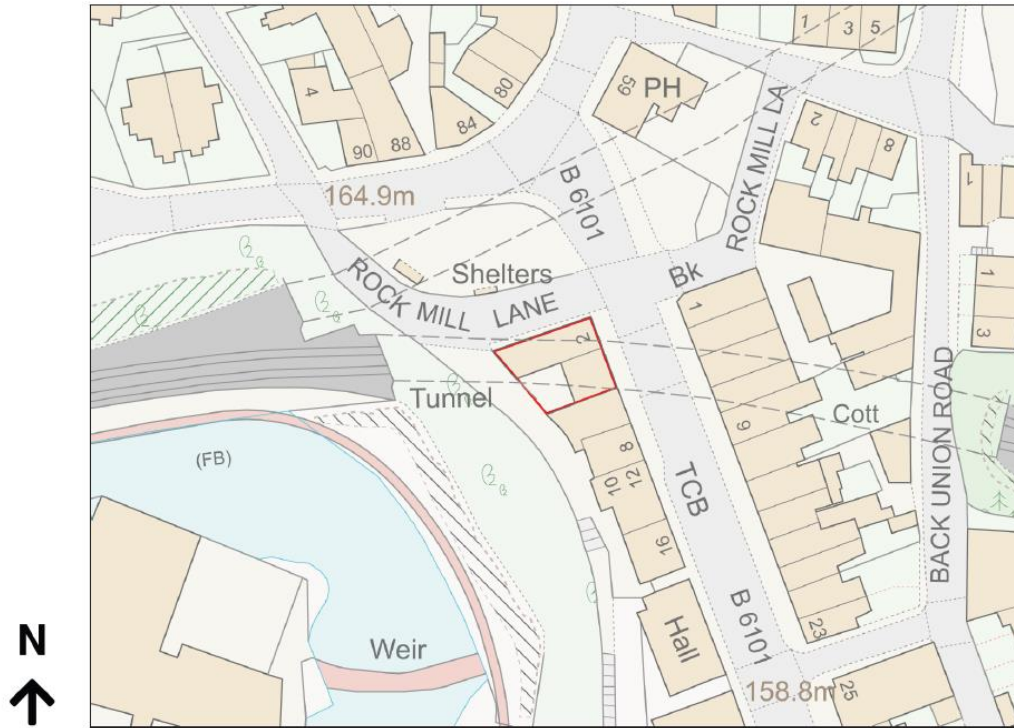
Reason:- In the interest of the character and appearance of the Conservation Area, and amenity of nearby residential properties.

- 5. Prior to the application of the mural the final design shall be submitted to and approved in writing by the Local Planning Authority. The mural shall be installed in accordance with the approved details.**

Reason:- In the interest of the character and appearance of the Conservation Area, and amenity of nearby residential properties.

B. In the event of any changes being needed to the wording of the Committee’s decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Operations Manager – Development Services has delegated authority to do so in consultation with the Chairman of the Committee, provided that the changes do not exceed the substantive nature of the Committee’s decision.

Site Plan



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